

## **REMARKS**

### **I. Introduction**

The Office Action of February 5, 2009 has been reviewed and the Examiner's comments carefully considered. The present Amendment amends claims 31, 35, and 39 in accordance with the specification and drawings as originally filed. No new matter has been added. In addition, the present Amendment cancels claims 33, 34, 37, 38, 41, and 42. Entry of these amendments is respectfully requested. Claims 1-30, 32, 36, 40, 43-45, and 47-80 were withdrawn from further consideration in view of an earlier restriction requirement. The Applicants reserve the right to file a divisional application directed to the non-elected claims. Accordingly, claims 31, 35, 39, and 46 are currently under examination in this application, and claim 31 is in independent form.

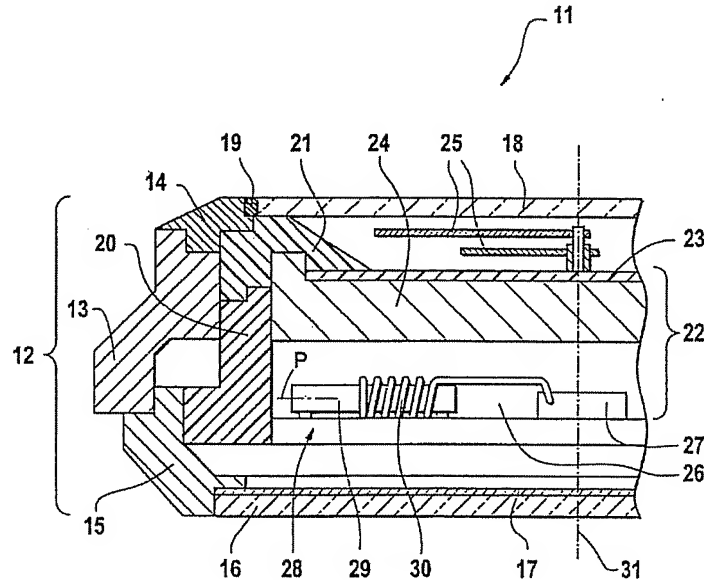
### **II. Rejection under 35 U.S.C. §102**

Claims 31, 33, and 42 stand rejected under 35 U.S.C. §102(b) or §102(e) as being anticipated by United States Patent No. 6,411,569 to Megner et al. (hereinafter "the Megner patent"). In view of the above amendments and the following remarks, the Applicants respectfully request reconsideration of this rejection.

As defined by amended independent claim 31, the present invention is directed to a radio controlled watch that includes an antenna for receiving a radio wave including time information; a watch device for causing a display portion to display time information such as a present time by the radio wave received by the antenna; and a watch case for accommodating the antenna and the watch device. The watch case is constituted by a metal and comprises a metallic watch case body and a metallic back cover attached and fixed to the watch case body. The watch case and the antenna are set in such a manner that a gap D2 from an internal surface of the back cover of the watch case to the antenna ranges from 100μm to 700μm.

The Megner patent is directed to a radio-controlled wristwatch (11) that includes a casing (12). A central portion (13) of the casing (12) is disposed generally centrally with reference to a longitudinal center axis of the casing (12), and is formed of metal at least on the exterior thereof. An antenna core (29) is disposed within a chamber defined by the casing (12). The antenna core (29) lies on a plane oriented transversely with respect to the longitudinal axis. A spacer ring (20) is disposed in the chamber between the central portion (13) and the antenna

core (29). The spacer ring (20) is formed of an electrically non-conductive material (see FIG. 1 reproduced below).



The Megner patent, however, does not teach or suggest that the watch case comprises a metallic watch case body and a metallic back cover attached and fixed to the watch case body as required by amended independent claim 31. Instead, the Megner patent requires the bottom plate (16) (*i.e.*, the back cover) to be force-fitted in the casing (12) and the bottom plate to be made of a stiff plate of electrically non-conducting material, such as ceramic or glass (see column 3, lines 7-9 of the Megner patent). Accordingly, the Megner patent specifically requires the antenna (28) to be disposed between two discs of **electrically non-conducting material** (*i.e.*, the wristwatch glass (18) and the casing bottom (16)). On the other hand, the present invention as defined by amended independent claim 31 includes a watch case having watch case body and a metallic back cover attached and fixed to the watch case body.

In addition, the Megner patent does not teach or suggest, as the Examiner admits on page 4 of the Office Action, that the watch case and the antenna are set in such a manner that a gap D1 from an internal surface of the back cover of the watch case to the antenna ranges from 100µm to 700µm as required by amended claim 31. By optimizing the distance of the thickness of the watch case body and back cover and the distance between the back cover and the antenna, the functionality of the antenna is maintained even though the watch case body and the back cover are manufactured from a metallic material. In addition, the

optimization of these distances also allows for excellent reception of the radios waves, thereby improving reception performance and watch accuracy.

Specifically, by setting the gap D2 from the internal surface of the back cover of the watch case to the antenna to be 100  $\mu\text{m}$  to 700  $\mu\text{m}$  as required by amended independent claim 31, it is possible to maintain a high gain of the antenna, an excellent receiving sensitivity, and a strength which is usable for the watch case. In addition, by setting the gap D2 within this range, it is possible to obtain an optimum back cover of the watch case which considers an appearance, a workability, and a corrosion resistance for the watch case.

For the foregoing reasons, the Applicants believe that the subject matter of amended independent claim 31 is not anticipated or rendered obvious by the Megner patent. Reconsideration of the rejection of claim 31 is respectfully requested.

Claims 33 and 42 were cancelled by the above amendment, thereby rendering the rejection of these claims moot.

### **III. Rejection under 35 U.S.C. §103**

Claims 34, 35, 37-39, 41, and 46 stand rejected under 35 U.S.C. §103(a) as being obvious over the Megner patent. In view of the above amendments and the following remarks, the Applicants respectfully request reconsideration of this rejection.

Claims 34, 37, 38, and 41 were cancelled by the above amendment, thereby rendering the rejection of these claims moot.

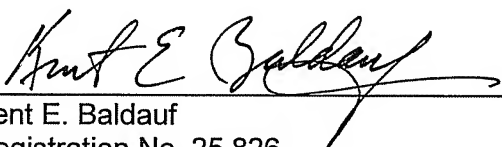
Claims 35, 39, and 46 depend from and add further limitations to amended independent claim 31 and are believed to be patentable for at least the reasons discussed hereinabove in connection with amended independent claim 31. Reconsideration of the rejection of claims 35, 39, and 46 is respectfully requested.

**IV. Conclusion**

Based on the foregoing amendments and remarks, reconsideration of the rejections and allowance of pending claims 31, 35, 39, and 46 are respectfully requested.

Respectfully submitted,

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